

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

LOURDES TERRAZAS SILES,
a/k/a LOURDES TERRAZAS-SILAS,

Defendant.

Case No. 1:19-cr-000127

Honorable Leonie M. Brinkema

Motions Hearing: July 5, 2019

**ADDENDUM TO SUPPLEMENTAL RESPONSE OF THE UNITED STATES TO
DEFENDANT’S MOTION TO DISMISS THE INDICTMENT**

The United States of America, by and through its attorneys, G. Zachary Terwilliger, United States Attorney for the Eastern District of Virginia, Anthony W. Mariano, Special Assistant United States Attorney, and Danya E. Atiyeh, Assistant United States Attorney, hereby submits this addendum to the supplemental memorandum in opposition to the defendant’s motion to dismiss the indictment and the defendant’s supplement in support of the Motion filed by defendant Lourdes Terrazas Siles.

In response to the defendant’s May 31, 2019 discovery request for “all manuals, instructions, training materials or other documents explaining what the database is that this document came from, and what the codes and descriptions mean,” the United States has identified Government Exhibit 14 as responsive.¹ The document does not support the defendant’s interpretation of the A File’s references to a May 29, 2001 data entry. In fact, the document shows

¹ Government’s Exhibit 14 was initially provided to the defense on June 27, 2019, in a redacted form. On that date, the undersigned invited defense counsel to visit the United States Attorney’s Office to view a less redacted version. On the morning of July 2, 2019, defense counsel came to the United States Attorney’s Office and was provided with a copy of the document with fewer redactions. Following discussions with the Department of Homeland Security, the undersigned is now in a position to file the document, with minimal redactions, with the Court.

that the May 29, 2001 data entry was, as the United States has explained from the beginning, related to historic biometric information, rather than an actual encounter. Government Exhibit 14 explains that “DHS – US-VISIT – BSC,” which appears on the defendant’s Exhibit E and Government Exhibit 13-1 associated with the May 29, 2001 data entry, refers to the “Biometric Support Center.” [Gov’t Ex. 13-1, at 8.] Government Exhibit 14 explains that this “includes hardcopy fingerprints submitted by DHS components involved in law enforcement.” [*Id.*] The references to a May 29, 2001 “Encounter” in Exhibit F refer to “[a] unique submission of biometric and associated biographic information.” [*Id.* at 19.] Likewise, Exhibit F’s reference to “IDENT” refers to the “Automatic Biometric Identification System.” [*Id.*] The references in Exhibit E and F to an “Enforcement” on May 29, 2001 refer to any “[l]aw enforcement activities.” [*Id.* at 17; *see also id.* at 19 (defining “law enforcement”).] Nothing in Government Exhibit 14 supports the defendant’s theory that the Government had encountered the defendant in the United States in 2001.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2019, I caused a copy of the foregoing addendum to be filed with the Clerk of Court using the CM/ECF system, which will automatically generate a Notice of Electronic Filing (NEF) to all counsel of record.

_____/s/
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